IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 10TH OCTOBER 2006 / 18TH ASWINA 1928

Bail Appl..No. 6035 of 2006()

CC.1313/2003 of J.M.F.C., KODUNGALLUR
CRIME NO.39/2003 OF KODUNGALLUR POLICE STATION

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PETITIONER/ACCUSED

AJU @ SHAKESPEARE, S/O.SREEDHARAN,
AGED 33 YEARS, RESIDING AT ELLUVILA HOUSE,
KEEZHKOLLA DESOM, AMARAVILA, NEYYATTINKARA,
THIRUVANANTHAPURAM DISTRICT, NOW RESIDING AT
AMCW 44/821, ALLEPPEY THEATRE BUILDING,
ROOM NO.3, ALAPPUZHA.

BY ADV. SRI.T.MADHU
SRI.SURAJ KRISHNA B.S

RESPONDENTS: COMPLAINANT

THE STATION HOUSE OFFICER,
KODUNGALLUR POLICE STATION,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 6035 of 2006

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Dated this the 10th day of October, 2006

O R D E R

The petitioner is before this Court for a pre-arrest order, as he apprehends arrest in Crime No.39/2003 of Kodungallur Police Station, for the offence punishable under Section 420 of the Indian Penal Code, which is now pending on the file of Judicial Magistrate of the First Class, Kodungallur, as C.C.No.1313/2003. A Non-bailable warrant was issued.

2. The learned counsel for the petitioner submits that the summons was issued in the address at Thiruvananthapuram, whereas, the petitioner was residing at Alappuzha. The counsel also submits that the petitioner was not aware of the registration of the case.

3. Without going into the merit of the matter, after hearing both sides, I direct the petitioner to surrender before the Judicial Magistrate of the First Class, Kodungallur, on 18/10/2006, at 11 a.m. The petitioner shall move an application for bail and the learned Magistrate shall allow him to be on bail, on imposing such conditions, which are deemed necessary.

(J.M.JAMES)
Judge

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